1. **PURPOSE**
   The purpose of this procedure is to outline how the State of Montana Child and Family Service Division (CFSD) is ensuring the safety of youth placed in foster care, including those who are missing or runaway.

2. **SCOPE**
   The following protocol is to be used whenever a Montana foster youth is missing or has runaway.

   Implement protocols to locate missing children from foster care, determine the factors that lead to the child’s being absent from foster care and to the extent possible address those factors in subsequent placements, determine the child’s experiences while absent from care, including whether the child is a sex trafficking victim, and report related information as required.

3. **RESPONSIBILITY**
   All CFSD staff are responsible for ensuring the provisions of this policy.

4. **Definitions:**
   ACTD means an Activity Detail screen in the case management system CAPS.

   Amber Alert means an emergency response system that disseminates information about a missing person (usually a child), by media broadcasting or electronic roadway signs.

   CAPS means Child and Adult Protection Services and is CFSD’s Statewide Automated Child Welfare Informational System.

   CFCIP means the Chafee Foster Care Independence Program.

   CFSD means Child and Family Services Division.

   CI means Centralized Intake.

   CI Hotline means Centralized Intake Hotline (1-866-820-5437).

   ‘Child abuse and neglect’ and ‘sexual abuse’ means that a child shall be considered a victim of ‘child abuse and neglect’ and of ‘sexual abuse’ if the child is identified, by a state or local agency employee of the state or locally involved, as being a victim of sex trafficking or sever forms of trafficking.

   CPS means Child Protection Specialist.

   CPSS means Child Protection Specialist Supervisor.
CSE-IT means the Commercial Sexual Exploitation-Identification Tool.

For purposes of this policy “Foster Youth” is defined as: youth in foster care placement including, but not limited to: paid or unpaid kinship, foster care, congregate care or a residential treatment facility, youth on a Trial Home Visit (THV); youth in placement per a protection plan under the 30-day voluntary placement statute; youth for whom CFSD has a diversion court agreement with birth family and the youth is remaining in the home; or youth for whom CFSD has court order care and control but the youth continues to reside in their birth parent’s home.

LE Means Law Enforcement.

NCIC means the National Crime Information Center.

PSA means Public Service Announcement.

Sex Trafficking means the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act.

Severe forms of trafficking in persons means sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained eighteen years of age.

Title IV-E means Title IV-E of the Social Security Act.

Tribal Title IV-E Social Services means tribal social services funded through Title IV-E of the Social Security Act, as amended, and implemented under the Code of Federal Regulations (CFR) at 45 CFR parts 1355, 1356, and 1357.

THV means Trial Home Visit.

5. **PROCEDURE**

1. CFSD staff, congregate care or residential treatment facility staff or foster parents will call the Centralized Intake (CI) Hotline to report missing or runaway foster youth.
2. CI will collect information from the reporter that is listed on the on “Missing or Runaway Foster Youth Referral Form” to collect the information.
3. CI will contact Law Enforcement (LE) and make a runaway youth report or verify a report has been made.
4. CI will also complete the following;
   a. Document in CAPS an ACTD entry under the child’s CAPS number with the following information:
3.2.6 (PRO) Runaway or Missing Youth

i. Child was reported missing/runaway on _________(date reported); by __________(who reported). Law enforcement notification to __________(LWE agency contacted) was made on _________(date contacted).

b. Notify the OMB via email. The email will state in the subject line “Runaway Youth (Insert CAPS ID).”
c. Upload the runaway youth referral form to the youth’s CAPS ID in Doc Gen.

5. Tribal Title IV-E Social Services agencies will also issue reports of missing or runaway foster youth to CI as this is a requirement under the Title IV-E contracts.
   a. CI will follow the same procedures listed in bullet four above when referrals of missing or runaway foster youth are received from communities located on any of Montana’s Indian Reservations.
   b. Within one working day, the Tribal Social Services staff assigned to the missing or runaway foster youth’s case will be expected to follow-up provide additional information not available when the CI referral was issued.

6. Once the foster youth is located CFSD and Tribal Title IV-E Social Services agencies will be responsible for the following:
   a. Determine the factors that led to the foster youth being absent from foster care and to the extent possible address those factors in subsequent placements.
   b. Determine the foster youth’s experiences while absent from care, including whether the child is a sex trafficking victim.
   c. Report related information as required by the federal Department of Health and Human Services.
   d. Immediately report to local law enforcement any time it has been determined a youth has been sex trafficked.

7. Action once youth is located
   a. Documentation on ACTD by the CPS once a youth has been located.
   b. Notification to law enforcement when a youth has been located and removal of any PSAs that have been issued.

6. RELATED DOCUMENTATION
   Missing or Runaway Foster Youth Referral Form
   Prevent Sex Trafficking Policy
   Prevent Sex Trafficking Procedure

7. RELATED FEDERAL OR STATE GUIDANCE
   Public Law 114-22, the Justice for Victims of Sex Trafficking Act of 2015
   Public Law 113-183, the Preventing Sex Trafficking and Strengthening Family Act
   Titles IV-B, IV-E, and section 1114A of the Social Security Act
   Title 1 of the Child Abuse Prevention and Treatment Act
   Section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7120)